## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic	ante.

Munoz, et al.



Serial No.

10/540,601

Filed: June 23, 2005

For: GEMINALLY DI-SUBSTITUTED NSAID DERIVATIVES

AS ABETA 42 LOWERING AGENTS

Art Unit: 1626 Examiner: J. M. Nolan

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents. P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

\_ Date \_ <u>6 | 18 | 07</u>

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## INFORMATION DISCLOSURE STATEMENT

5. Assuant to 37 CF.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION		
	U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
If th	is is inconvenient, additional copies will be submitted upon request	<u> </u>	<u>.                                    </u>
	5. In accordance with 37 C.F.R. 1.97, (check one)	•	
$\prod$	the attached information is filed within three months of the filing da	te of the captioned case.	
	the attached information is filed more than three months after the f Office Action on the merits.	iling date but prior to the m	ailing of a first
	the attached information is filed before the mailing of a first Office a examination under §1.114.	action after the filing of a re	quest for continued
	the attached information is being filed more than three months after Office Action on the merits, but before the mailing date of a Final Action of the properties of the properties of the properties of the fee required under 37 C.F.R. 1.17(p).	action, Notice of Allowance,	or an action that
$\checkmark$	each item of information contained in this Information Disclosure S from a foreign patent office in a counterpart foreign application not Statement.		
	each item of information contained in the information disclosure staffrom a foreign patent office in a counterpart application and this codesignated in §1.56(c) more than thirty days prior to the filing of the	mmunication was not recei	ved by any individual
	no item of information contained in this Information Disclosure State foreign patent office in a counterpart foreign application, and, to the after making reasonable inquiry, was known to any individual design months prior to the filing of this Statement.	e knowledge of the person :	signing the certification
		Respectfully submitted,	
		Punha	
		By: Raynard Yuro	
		Attorney For Appl	icant(s)
		Reg. No. <u>45,570</u>	
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		Patent Dept., RY60-30 P.O. Box 2000	
		Rahway, N.J. 07065-0907	
		(732)594-0182	

Date: June 18, 2007

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-	Substitute fo	or form 1449A/PTO				COMPLETE IF KNOWN	
	INFO	RMATION	DIS	CLOSURE	Application Number	10/540,601	
	STP ETAT	EMENT DI	17 A D	DIICANT	Filing Date	June 23, 2005	
/	STATEMENT BY APPLICANT		First Named Inventor	Munoz			
	JN 2 0 2007	as many sheet	4		Group Art Unit	1626	
REEL	£ 5/	yas many sneel	is as n	ecessary)	Examiner Name	J. M. Nolan	
Y	SADEMATT	1	of	2	Attorney Docket Number	MS0018YP	
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document  Kind Code (if known)		Name of Patentee or Applicant Of Cited Document  Date of P Cited MM-D		
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	FOREIGN PATENT DOCUMENTS							
Examiner	Cite		Foreign Patent Document		Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY		
Initials*	No.	Office	Number	Kind Code (if known)	of Cited Document			
		EPC	EP 1201 661 A		Sumitomo Pharmaceuticals Co., Ltd.	05/02/2002		
		PCT	WO 01/47895 A		Sumitomo Pharmaceuticals Co., Ltd.	07/05/2001		
			FR 2 193 611 A		F. Hoffmann-La Roche & Cie Societe	02/22/1974		

Examiner Signature	Date Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	COMPLETE IF KNOWN
Application Number	10/540,601
Filing Date	June 23, 2005
ringty vamed inventor	Munoz
Group Art Unit	1626 <sup>-</sup>
Farminer Name	J. M. Nolan
Attorney Docket Number	MS0018YP
	Application Number Filing Date First Named Inventor Group Art Unit Examiner Name

		NON PATENT LITERATURE DOCUMENTS
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		F. Clemence et al., "Recherche de composes anti-inflammatoires et analgesiques dans la serie du Thiophene", Chimica Therapeutica, Vol. 9, No. 4, July 1974, pp. 390-396.
		M. Bellassoued et al. "Unexpected formation of 3,3a,4,7a-tetrahydrobenzofuran-2,5-diones as well as arene carboxylic acids", Chemical Communications, Vol. 2, 1999, pp. 187-188.
		J. B. Summers et al., "In vivo characterization of hydroxamic acid inhibitors of 5-lipoxygenase", Journal of Medicinal Chemistry, Vol. 30, No. 11, 1987, pp. 2121-2126.
		•

Examiner Signature	Date Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.